



WHISTLEBLOWER INFORMATION
for
**EMPLOYEES OF DOC CONTRACTORS, SUBCONTRACTORS, GRANTEES,
SUBGRANTEES, OR PERSONAL SERVICES CONTRACTORS**

Whistleblowers perform an important service to the Department of Commerce (DOC) and the public when they come forward with what they reasonably believe to be evidence of wrongdoing. They should never be subject to reprisal for doing so.

Federal law protects federal employees against reprisal for whistleblowing. In addition, under 41 U.S.C. § 4712, it is illegal for an employee of a federal contractor or subcontractor, grantee or subgrantee, or personal services contractor to be discharged, demoted, or otherwise discriminated against as a reprisal for making a protected whistleblower disclosure. The Department of Commerce Office of Inspector General (OIG) has jurisdiction to investigate allegations of reprisal for whistleblowing by employees of DOC contractors or subcontractors, grantees or subgrantees, or personal services contractors. Information on how to report suspected reprisal to the OIG is available at <https://www.oig.doc.gov/Pages/Hotline.aspx>.

What is a whistleblower?

A whistleblower is an employee of a federal contractor, subcontractor, grantee, subgrantee, or personal services contractor who discloses information that the individual reasonably believes is evidence of:

- Gross mismanagement of a federal contract or grant;
- A gross waste of federal funds;
- An abuse of authority relating to a federal contract or grant;
- A substantial and specific danger to public health or safety; or
- A violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.

To whom must the disclosure be made to be protected?

To be protected under 41 U.S.C. § 4712, a disclosure must be made to one of the following:

- A Member of Congress, or a representative of a committee of Congress;
- The OIG;
- The Government Accountability Office;
- A federal employee responsible for contract or grant oversight or management at the relevant agency;
- An authorized official of the DOC or other law enforcement agency;
- A court or grand jury; or

- A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.

Disclosures involving classified information should be made in accordance with otherwise applicable laws, and individuals should consult with the OIG to ensure that such disclosures to it are made appropriately.

What can I do if I believe retaliation has occurred?

Employees of contractors, subcontractors, grantees, subgrantees or personal services contractors may file a complaint under 41 U.S.C. § 4712 with the OIG, which will investigate the matter unless the OIG determines that the complaint is frivolous, fails to allege a violation of the prohibition against whistleblower reprisal, or has been addressed in another proceeding. Upon completion of its investigation, the OIG will submit a report of its findings to the head of the agency and the person, contractor, or grantee concerned.

Nothing in a non-disclosure agreement should be interpreted as limiting your ability to provide information to the OIG.

For further information about whistleblower rights and protections, please see the Whistleblower Protection page on the OIG's website, available at: <https://www.oig.doc.gov/Pages/Whistleblower-Protection-Program.aspx>.

Note: The OIG does not have authority to investigate Equal Employment Opportunity complaints. For such matters, please refer to the [U.S. Equal Employment Opportunity Commission](#).

How can I report wrongdoing to DOC OIG?

If you know about waste, fraud, abuse, misconduct, or whistleblower reprisal relating to a Department of Commerce employee, program, contract, or grant, you may report it to the [OIG](#) hotline.